



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in the Application of:

GARCIA DURAN et al.

CASE NO: **AD6516**

APPLICATION NO.: **09/462,971**

GROUP ART UNIT: **1714**

FILED: **JUNE 28, 2000**

EXAMINER: **HOKE, V.**

FOR: **FLAME RETARDANT POLYOLEFIN COMPOSITIONS**

RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Office Action dated January 16, 2001, concerning the above-identified application, please enter and favorable consider the enclosed remarks. A petition for one-month extension to respond is enclosed as a separate document.

REMARKS

At present, Claims 1 through 6 are rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over a patent issued to Spelthann, (U.S. 5,434,217). Reconsideration of these rejections is requested.

In asserting the above rejections the Office Action states in part that the patentee (Spelthann) discloses polymer compositions comprising three polymers and a filler such as talc similar to applicants. The Office Action proceeds to identify three specific teachings relative to components in the Spelthann reference and explicitly identifies these components as corresponding to one of Applicants' components. More specifically with respect to one of the three components and at the top of page 3 of the Office Action the following paragraph is found:

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